

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

HARTFORD FIRE INSURANCE COMPANY,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civil No. 5:21-cv-02466-JMG
	:	
E.R. STUEBNER, INC., <i>et al.</i> ,	:	
Defendants.	:	

ORDER

AND NOW, this 25th day of January, 2022, upon consideration of Plaintiff's Motion to Dismiss (ECF No. 38), Defendants' response (ECF No. 43); and Plaintiff's reply thereto (ECF No. 44); **IT IS HEREBY ORDERED** as follows:

1. Plaintiff's motion to dismiss Defendants' counterclaim for breach of contract is **GRANTED**. Count I of the Amended Answer (ECF No. 33) is **DISMISSED without prejudice**.
2. Defendants may file an amended counterclaim no later than **February 15, 2022**.

BY THE COURT:

/s/ John M. Gallagher
JOHN M. GALLAGHER
United States District Court Judge